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MINUTES OF THE COUNCIL AND GENERAL COURT
1622-1629*.

From the Originals in the Library of Congress.

(CONTINUED.)

*All erasures in the originals are here printed in italics.

The practice, previously followed, of printing these records line for line with the original will not be, hereafter, continued.

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*(1) And with them they kept ye frigott wch they had first taken and theire owne And tooke A negro and A Frenchman who came away with them willingly. And a Portugall to be Their Pilott out of the West Indyces because they had longe gone

* (1) The depositions here and in XXIII, 404-406, relate to one of those half privateering, half piratical cruises so common at the time. The Dutch were willing to use any weapon in their desperate war with Spain and privateering commissions were freely given by the States or the Prince of Orange. In many instances, the operations of these privateers were not confined to attacks on Spanish ships. The interest in this case is that there should have been aboard the *Black Bess* two men who had helped to lay the foundations for so much history. Capt. Powell had commanded one of the ships which brought the first negroes to Va. and his subordinate Capt. Jones had commanded the *Mayflower* in its famous voyage to Plymouth. Both had been in the service of the Earl of Warwick. Capt. John Powell had been sent out by the Somers Islands Company in 1616, in a boat called the *Hopewell*; but had taken to piracy and gotten that Company into much trouble at home. In 1619, in "a Dutch man-of-war" he brought some of the first negroes to Virginia. In 1623, the Va. Company was asked to allow him to trade to Virginia, but refused as they were "afraid Capt. Powell should go to the West Indies," and there return to piracy.

Capt. Thomas Jones, in or prior to 1619, commanded in the East Indies a ship, "the *Lion*," belonging to the Earl of Warwick, and after his voyage with the Pilgrims in 1620, continued in the service of the Virginia Company. In 1622, in the *Discovery*, he made a voyage to explore the neighborhood of Cape Cod and furnished the Plymouth people with needed supplies. He died in Virginia soon after landing from the voyage described in these depositions. A frigate of the time here spoken of was a small sailing vessel and not the war ship of later days.

upp and downe and could nott gett Clerre. After this they gott cleere and came to ye cape of florida where they intended to take in fresh water and to gett some provisions and soe came to an anchor, and sent to the shore and gott in some Water and Turtles but by extremitie of fowle weather they lost two anchors and cables and theire boate Sunk at the Shipps stearne so as they were forcte to leave two of their Company ashore and were driven them selves out into the Current so yt they could not putt in to gett theire men abourd nor could not putt ye Portugall ashore as they intended at any place where his countrymen were, And after this not beinge Sufficiently Victuled to goe for England They resolved to shape their Course for Virginia. Theire ship also beinge very leakey, And sayeth that they landed at Cape Hatteras in a small boate wch they made themselves abourd ye shipp wth parte of ye rowne house to gett fresh water but could gett none And after yt ye next Daye They gott in at ye Capes and ran into this river uppon Mondy the eleventh of this month of January 1625

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William Gundry of Feversham in Kent sworne and Examined Sayeth yt he was shipt at fflushing by Capt. Jonnes into ye blacke Bess and yt he harde Capt Powell's Commission readd, and yt they having victuled at the Isle of Wyght and taken in Some more Company they putt to Sea & shaped their course for ye western Islands where they beate upp and Downe a few days and after went for the West Indies and at the Granados they builte them a shalopp, And they bay levinge ye shipp at an Anchor They went in the shallope aboute 25 men and boarded a Spanish frigott but the men were all ashore where they found some small p'visione and certen Raw hides on the shore, And they mande ye frigott and kept her in Consort with them, But after Capt Powell cutting short theire allowance and requiringe them to signe to Certen Articles, among wch one was yt thay should fyght againste any whether they were Friend or Foe, whereuppon they resolved to depart from him and to goe for theire Country, and soe was Capt. Jounes for theire Capt and mor who was willinge to come with them. And furnishinge

them with Some provisions and fresh water, They parted from their Admirall and beateinge upp and Downe one nyght lying at hull in the morninge the espied this frygott, and makinge after her, The men hoysted out theire boate and went ashore, when the went aboarde ye frygott and found never a man in her; but 60 live Goattes and fower pecks of meale and some lynnyn and woollen Cloathes and some 5 or 6 hundred weight of Tobacco and 2 peeces of ordynance and some other small matters. Soe they man'd this frygott and carried her wth them and after came to Cap Carebe

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There they fownd another frigott wch ran under theire lee they went w'th her to the wateringe place And often they took owt of this frigott Certen Raw hides and some Tobacco and a french man and a negro who were very willinge to come wth them and a Portugall to be theire pilott leavinge wth them the frigott wch they had first taken and theyre owne, And after they came to Cape Florida, and having sent ashore for water and theire men caringe aboard wth water and some Turtles, leaving two of their Company ashore for the featchinge of Turtles, By fowle weather they lost two Cables and Anchors and theire boate sunke at the Shipps Stearne, and were forced to sea by wch means they could not recover their men nor putt the Portugall ashore, whom they were forced to take in to be a Pilott for to bringe them out of the Islands, their victualls being short and the shipp leaky they resolved to shape their course for Virginia and arrived there on Mondye the eleventh day of July 1625

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Andrew Poe of Holte in Northfolke sworne and examined Sayeth yt he was shipt in fflushinge by Capt. Powell and Capt Jonnes in the Black Bess, and having victuled at Isle of Wight they put owt to sea and went forth to ye western Islands, and from thence to ye West Indies where they lighted on a friggott, but he, this Examint was not aboard her the shallopp yt took her. Soe they mand the frigott and tooke her alonge wth them

and after because they could Capt. Powell would not allow them Sufficient water and victualls and required them to sett their hands to Certen articles the Company grew Discontented and soe Capt. Powell bid them that would goe for their Country to take the frigott and goe in her, Whereupon the Chose Capt *Powell* Jonnes for their Capt and M'r and parted from him intendinge to goe Immediatelie for their Country but their few p'vyisions and water being spent, they were forced to putt in for releefe, And having gott some pr'vyisions they could nott gett, finde the way owt of the Islands, the Capt beinge unacquainted in those parts, And after beating upp and Downe they lighted uppon a frygott where they found 60 Turtles and some Tobacco and meale and other small matters and takeing her wth them afterwards lighted uppon a Spanish frigott wch came under their lee and they gave them their first frygott taking out of her some Raw hides and some Tobacco and a negro and a ffrenchman who

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were desirous to goe along wth them and a Portugall to be their Pilott owt of the Islands intendinge to sett him ashore uppon Cape fflorida or thereabouts when beinge arived there and after they gott some fresh water and p'visions ashore They left two of their Company ashore and the weather growinge fowle they lost two cables and anchors and their boate sunke at the ships sterne, by means wherof they coulde not goe for their men but were driven out to sea, And after had no oportunitie to sett the portugall ashore but came directly for Virginia, where they Arrived one Mondye the Eleventh of July 1625

July the xxi being present Sir ffancis Wyatt Knight, Governor &c., Capt Francis West, Capt. Roger Smith, Capt Raphe Hanor, Mr William Cleyborne

Yt is ordered yt fourteene of those men wch came in wth Capt Jones shalbe sent upp to James Cittie wth ye first, To be disposed of by the Governor and Counsel to such places in the Colony as they shall thinke fitt, wherof the Frenchman to be one, And yt Capt Francis West make Choyse of such others as he shall thinke fitt of.

And ye Courte doth Consent to ye request of Capt. Francis West that he may make use of the frygott and all the Tackell Apparell Munitions masts sayles sayle yarges &c., now to her belonginge or appertayning, Provided that he shalbe accountable for the valuable some of twelve hundred pounds weight of Tobacco wch some Capt Jounes and the ships company hath Demanded for her To any such to whom of right she shall Appertaine uppon further Consideration

Yt is also ordered yt the Companie shalbe sent upp to ye neck of lande unto Mr Luke Boyse, there to abide untill further order

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November 1624

Received of Doctoris Christmas and John Shepparde for the use of Southampton Hundred fower barreles of corne by the appoyntmentt of Mr John Powntis

ꝓ me John Utie

Mr Pountis receaved yt them when he went a trading for the use of his Pynnace said barrell of Corne

Witnessed by Richard (x) Croker

Receaved the 9th of December 1623 for the use of Mr Pountis in pte of another some one hundred and fowre pounds of Tobacco, I say receaved of John Shepparde the same above

Nathaniell Basse

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A Courte held the xxii of August 1625

being pr'snte Sr francis Wyatt, Knight Governor &c, Capt. Fra. West, Capt. Roger Smith, Capt. Raphe Hamor, Mr Wm. Cleyborne.

John Southerne sworne and Sayeth that Thomas Passmore*(2) and Christopher Haule came unto him for to have him make

(2) Thomas Passmore was a carpenter who lived, with his wife Jane, on James City Island. Christopher Hall appears from the Census of 1624-5, to have been a neighbor. The same Census shows that John Hall and Elizabeth, his wife, also lived near by. The name rendered Kersie in the text, should probably be Kerfitt. Thomas Kerfitt, aged 24, in 1624-5, was one of Passmore's servants.

a payr of covenants betwixt them, the saide John Sutherne demanded of them w't their bargain was, they said the cropp was to be sett in seaven p'tes wherof Mr Passmoure was to have fowre shares and Christopher Haule to have three, But Mr Passmoure saide he would have a little peece of grounde to him selfe for his wife and his boy to plant and tend. Christopher Haule said I will make no new bargaine and yt you will stand to our first bargaine (so) otherwise will make no other bargaine and so they departed. Thomas Bradfiel sworne and Examined sayeth that he sitting in Company wth Passmoure and Christopher Haule he heard Mr Passmoure saye that Christopher Haule should have three shares of ye Cropp and yt he would leave his men over to Christopher Haule and meddle not wth them and this was spoken before this Examin't after they had been wth Mr Southerne. Mr Passmoure called this Examt to take notice wt the said

Yt is ordered that John Haule have his house and fowre acres of land joyninge to the land of Thomas Passmoure sytuate in James Cyttie Island where he hath now built & seated

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Thomas Kersie sworne and Examined sayeth That Christopher Haule did woork about ye Cropp sometymes two howers in a D'ye and sometymes three houres and very seldome a whole D'ye together.

John Buckmaster sworne and Examined affirmeth as much as Thomas Keisie hath formerly said.

It is agreeede by and wth the Consentt of Thomas Passmoure and Christopher Haule (as followeth) that is to say yt ye Cropp now in question between them Mr Passmoure shall have fower shares therof & Christopher Haule to have three shares and Thomas Passmoure to have the little hill now planted with pease and pompions to him selfe, And if Christopher Haule shall neglect his lawfull labour for ye good of ye Cropp, That then he shall make allowance to Thomas Passmoure for the same.

*Wheras Mousyer Bomount**(3) Yt is ordered yt Mounseyer Bomounte may seate him selfe and his people uppon any place About ye Esterne Shore being five miles from any land actually possessed by ye Company or any other man. And for any other order the Courte cannot determine before they be farther informed wth ye Certentie of ye bounds of ye lande wch he desireth to have granted.

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A Courte held the xxxth of August 1625, beinge present Sr francis Wyatt, Knight, Governor &c, Capt. Roger Smith, Capt Raphe Hamor, Mr Wm Cleybourne.

Cadwallader Jonnes Sworne and Examined sayeth yt uppon Tuesday nyght last he harde a Tumulte in Joseph Johnstone*(4) his house betwixt the said Joseph [and his?] wiefe. And sayeth yt Mr Bransbye his m'r caled to this Examint and other of his fellows to come to him soe this Examinat and Robert Crew his fellow servant went to Joseph Johnstones house where he and his fellow servant found their M'r and Joseph Johnstone fallen fowle together they being uppon the bed where they p'ted them, And further sayeth yt Mr Bransbie *caled Joseph Johnstone* said this I have for p'tinge a Newgate birde and Bridewell whore.

George Proust sworne and Examined Sayeth yt uppon Thursday last Mr Bransbie his m'r after he came from Joseph Johnstone's house sent this exam'nt to Johnstones house for his hatt and hat band And Cominge away from ye house he heard Mr Bransbie say to Joseph Johnstone yt yf he did beat and abuse his wiefe any more he would beate him tyghtlie unless ye Governo^r comanded ye contrary.

And further Cadwallader Jones sayeth yt about ye midst of October 1624, Joseph Johnstone goinge abroad with his peice,

(3) It is singular that there is no mention of this Mons. G. Beaumont in Hotten, the Minutes of the Virginia Company, or in any other record but this. Neill (*Virginia Carolorum*, p. 30) says that Giles Beaumont, a Frenchman, arrived in 1625 with some colonists, authorized to claim the privileges of an English subject and establish a plantation.

(4) Joseph Johnson, his wife Margaret and George Prouse, were living at Archers Hope, 1624-5. At the same time Thomas Bransbie, with three servants, Nicholas Greenhill, Cadwallader Jones and Robert Crew, was living at the same place. The account shows that Bransbie was commander of Archers Hope plantation.

very far from his house and in great danger of the Enemie, Mr Bransbie being Comander of ye Plantation, hath often admonished him therof, And Mr Bransbie offering to disarm him of his peece ye said Joseph beinge gott into his house, presented his peece against Mr Bransbie, sayinge come if you will.

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And further George Proust before sworne and examined sayeth that about Easter laste Joseph Johnsonsone, beating of his wiefe, Mr Bransbie and others wth him Cominge upp towards Johnsons house to pacifie them, The said Johnsonsone presented his peece owt at his window and said To them wt have you to do heere, you were best kepe back or I will keepe make yo, stand back

Yt is ordered at this Courte that Joseph Johnsonsone in regard of his contempt against the Comande of the Plantacone as also for ye Contynuall assaultinge of his wiefe, shall enter into bonds of fortie pounds wth a sufficient securitie to be from henceforth of good behaviour, as well towards our Souveragne lord ye Kinge as other his liege subjects

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A Courte helde the 12th of September 1625 beinge present Sr: Francis wyatt Knight, Gouvernor, & Capt' Roger Smith Capt' Samuell Mathewes M^r Abraham Peersey m^r Wm Cleybourne

Yt is ordered yt william Browne Boatswayne of the good shipp called the Elizabeth, shall deliuer three hatts to m^r Thomas Allnut*(5), wch were sent him owt of Englande, wch the said Wm Browne sold at Kackowtan, At or before the xixth daye of this instant moneth of September beinge mondye next

M^r James Stogden minister sworne and examined sayeth that he by the Apoyntment of m^r John Powntis did paye to m^r Edward Cage and m^r Tho: Edwards two hundred and twenty pownd waight of Tobacco for w^{ch} they gave y^e said m^r Stogden Accquitanc for y^e receipt therof (w^{ch} was lately burnt in his howse by Casualtie of fyer

(5) Thomas Alnutt, who came in the *Gjyte*, and his wife who came in the *Marygold*, were living at James City at the census of 1624-5. Edward Cage, who came in the *Marmaduke*, lived near him.

Doctoris Christmas being sworne (Deposeth that he brought the said Accquittance from m^r Edwardes and Deliuered it to m^r Stogden.

Further m^r Stogden deposeth y^t m^r John Powntis did accept of a bill of dept for fower barrells and a halfe of Corne, w^{ch} M^r Samuells Jorden had bounde him selfe to pay to m^r Tho. Dowse, And in leu of the said bill, did discharge Dictoris Christmas and John Hassarde of fower barrells & halfe of corne dew from them to ye said m^r Jo. Powntis w^{ch} bill he said he was y^e more willinge to accept of for y^t he was indepted to m^r Jurden.

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A Courte held the xixth daye of September 1625 beinge present Sr. Francis wyatt, Knight, Gouvernor, &c., Capt' Roger Smith, Capt' Raph Hamer, M^r Abraham Persey m^r Wm Cleybourne Walter Horsefoot sworne and examined sayeth that the shipp caled the Elizabeth was acosted at Dover for the King service, whervvpon the purser of the shipp rid to London and brought A Letter to the Livt' of Dover Castle. And soe the shipp was discharged.

Further he sayeth y^t John Hobbs a servant of Capt' Bickley cam away from the shipp and after M^r Page goinge wth the water baylie to y^e Capt' w^{ch} when Hobbs was had him del'ved agayne.

And further sayeth y^t some of M^r Perseys men marched in theire armes, before m^r Page his face, And further sayeth y^t one Hugh Symster A Carpenter offered m^r Page y^t yf he wold paye xx^s and discharge his hoste he wold come alonge wth him w^{ch} Carpenter was one of m^r persyes men

Yt is ordered in Courte y^t m^r Peersey shall have one of the boyes named Burrows sold by the purser, or otherwise the purser to Compound wth m^r persy for him M^r Persy desireth now to haue Robert Burrows

Walter Horsefoote further sayeth y^t m^r Page saide that m^r Wake was to haue a boy of his named burrows.

Wm Webster purser Doth Consigne over to M^r Abraham Persy Hugh Brooke, Wm Larance and Jane Steckie, in lew of three servante w^{ch} y^e M^r and Company suffered to goe away from them beinge three of m^r persie sevan

[ink folio 163]

Received of m^r Woollrige
one hogshed marked—T D
one barrell marked—T D
one servante

william WB Browne
his marke

Ytt ys ordered y^t m^r woolgrige shall haue a boye servante Caled whiffie now remayninge wth Thomas Spillmas in satisfaction for his servante, w^{ch} ye ships Company suffered to goe away.

Yt is Also ordered y^t for a kilderkin and smale chest of Surgery sent over by m^r Woodall to Christopher beast, the Colony beinge in great want of said surgery That not wthstanding of m^r woodalls desire of hauinge the same retornde, m^r wake Do leaue the saide goods heere wth y^e Phisitions and Chirurgions y^t they be furnished therwth, they puttinge in securitie to this Courte, To pay to m^r woodall in Englande so much redie money as it Cost wth such resonable profit as shalbe to his Content.

Y^t is ordered y^t the Purser of the Elizabeth shall pay to m^r Pearle for 6 tonne of beere and 9 hundred of bred w^{ch} they spent of his at sea the some of twelve hundred waight of good Marchantable Tobacco at or before the last Dye of November next enswinge, vppon payment wherof, M^r Pearle shall give the said purser A Discharge for all the goodes shipt aboorde the Elizabeth by m^r Benet And for five servantes y^t rann away in Englande at Dover, M^r Benett is to Receive satisfacione for them in England.

(To be Continued.)